

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 10-1760 JB

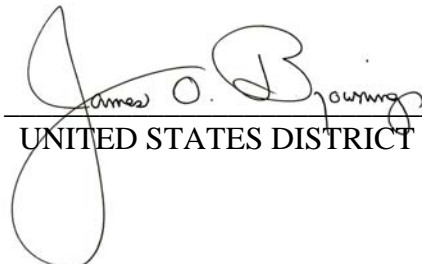
MICHAEL HARMON,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Defendant's Motion for New Counsel, filed August 10, 2011 (Doc. 74). In the motion, Defendant Michael Harmon asks the Court to appoint new counsel, alleging that his current counsel has rendered ineffective assistance of counsel, and that he and his current counsel "do not have a meeting of the minds." Motion at 1. Plaintiff United States of America takes no position on this motion. Harmon's current counsel, Charles E. Knoblauch, does not oppose this motion. Because Mr. Knoblauch does not oppose this motion, and because communication between Harmon and Mr. Knoblauch has broken down, see United States v. Beers, 189 F.3d 1297, 1302 (10th Cir. 1999), the Court will grant the motion.

IT IS ORDERED that the Motion for New Counsel, filed August 10, 2011 (Doc. 74), is granted. The Court orders Charles E. Knoblauch removed and orders the clerk's office to appoint new counsel for Defendant Michael Harmon.


UNITED STATES DISTRICT JUDGE

Counsel:

Kenneth J. Gonzales
United States Attorney
James R.W. Braun
Assistant United States Attorney
Albuquerque, New Mexico

Attorneys for the Plaintiff

Charles E. Knoblauch
Albuquerque, New Mexico

Attorney for the Defendant